

Remarks by Commission Chair Michael Cromartie

RELEASE OF POLICY FOCUS TURKMENISTAN

December 18, 2007

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It gives me great pleasure to welcome you all to this launch of the Commission's report on Turkmenistan. I would like to thank Freedom House for co-sponsoring this event.

Under President Saparmurat Niyazov, who died in December 2006, Turkmenistan was among the world's most repressive and isolated states. Almost no independent public activity was allowed and severe government restrictions meant that most religious and other activity was under strict and often arbitrary state control. The 2003 law on religion codified the country's highly repressive policies, in effect banning most religious activity. Turkmenistan's public life, especially education and religion, was dominated by Niyazov's quasi-religious personality cult, particularly his two-volume work of "spiritual thoughts" known as the Ruhnama.

Since 2000, the Commission has recommended that Turkmenistan be designated by the Secretary of State as a "country of particular concern," or CPC. Under the U.S. International Religious Freedom Act of 1998, the CPC designation should be applied to governments that engage in systematic, ongoing, and egregious violations of religious freedom and related human rights. Despite the Commission's repeated recommendation, however, the U.S. government has never designated Turkmenistan as a CPC.

President Niyazov's successor, Gurbanguly Berdimuhamedov, has set in motion some reforms in the education and health sectors. In addition, he has undertaken limited, positive steps relevant to religious freedom and other human rights. These include:

- he release in August 2007 of 11 political prisoners;
- a de-emphasis of Niyazov's oppressive personality cult;

- setting up two new official commissions relevant to human rights;
- and expressed willingness to consider reform of the country's religion law.

Unfortunately, Turkmenistan's oppressive laws and practices remain in place.

The Commission traveled to Turkmenistan to try to assess the new government's statements and actions. We were one of the first U.S. government delegations on the ground, and we were the first to focus on human rights. Our delegation met with the president and the Ministers of Foreign Affairs, Justice, Education, Culture, and Internal Affairs, as well as other government representatives. The delegation also held meetings with religious communities and civil society organizations.

The Commission raised key concerns with Turkmen government officials:

- the personality cult's negative impact on public life and on human rights;
- intrusive registration procedures for peaceful religious communities;
- penalties imposed on unregistered religious communities deemed "illegal" under Turkmen law;
- obstacles to the purchase or rental of land or buildings for worship services; and
- the ban on the import and printing of religious and other material.

At this time, the Commission continues to recommend that Turkmenistan be designated a CPC due to persistent, serious problems with regard to freedom of religion or belief and other human rights.

The Commission acknowledges that the government has undertaken some positive steps and encourages it to implement reforms to bring Turkmenistan's laws, policies, and practices into accord with international human rights norms. At the very least, these steps should include reform of the religion law and the removal of any state-imposed ideology from the religious practice of Turkmenistan's citizens.

I would like to briefly discuss some of the main findings from the Commission's report on Turkmenistan:

- The 11 political prisoners released by President Berdimuhamedov at the recommendation of a new official commission to examine the work of law enforcement bodies included the country's former chief mufti, Nasrullah ibn Ibadullah, who had been sentenced in a secret trial on unsubstantiated charges of involvement in an alleged coup attempt. The Commission delegation took part in a meeting with the former chief mufti, whose imprisonment the Commission had long protested.
- The president and other officials also told the Commission that the Turkmen government is considering the adoption of certain legal reforms relevant to human rights, including religious freedom. During the Commission visit, the president announced the formation of a new commission to examine how Turkmenistan's legislation conforms to international human rights commitments.
- Significant religious freedom problems and official harassment continue and, at least in some regions, certain religious freedom conditions may be deteriorating:
- Religious practice continues to be fully controlled by the state, including severe limitations on religious instruction even for the two largest religious communities, Sunni Muslims and Orthodox Christians.
- The repressive 2003 religion law remains in force, which includes serious difficulties for the legal functioning of religious minority religious groups.
- Despite an apparent decreased emphasis on the forcible state promotion of former President Niyazov's spiritual writings, or Ruhnama, the book continues to be present in mosques, which are tightly controlled by the state.
- Police raids on and other forms of harassment of registered and unregistered religious groups have increased somewhat, particularly on the local level, at least during the first six months of 2007.
- Some of the provisions of the 2003 religion continue to violate international standards with regard to freedom of religion or belief, including:
 - the requirement that the religious groups must be registered in order for their activities to be legal;

- the strict government control of, and limitations on, people's ability to gather for worship; and

- severe restrictions on religious education.

- Obtaining worship space is difficult for most if not all communities. For unregistered groups, it is virtually impossible, as it is illegal for them to rent or buy worship space. Worship in private homes, even for members of registered groups, is strictly limited to nuclear families; security officials routinely break up religious meetings in private homes and search homes without warrants.

- Various minority religious communities, both registered and unregistered, continue to face official harassment, particularly outside the capital city of Ashgabat. These problems include police raids, detentions, and threats by police and other security services, as well as demands for payment of onerous fines, some of which were levied by courts years ago. Religious literature is also routinely confiscated.

- The printing and import of religious literature continues to be rigorously controlled and limited by the government and customs agents still confiscate religious materials

- There continue to be restrictions on freedom of movement on account of religion. For example, the Turkmen authorities continue to place severe limits on the number of Muslims permitted to perform the hajj. Moreover, despite official protestations to the contrary, the Turkmen government still appears to have a secret "black list" of individuals who are denied permission to leave the country.

- There are some, though contradictory, indications that the new government has decreased official emphasis on President Niyazov's all-pervasive personality cult and the Ruhnama. For example, President Berdimuhamedov has made some initial attempts to curtail the imposition of the sworn oath of loyalty to President Niyazov. Although the Ruhnama continues to be part of the school curriculum, government officials told the Commission that they have decreased time devoted to its study

- Nevertheless, the Turkmen government is still promoting the Ruhnama in religious affairs and as a mandatory aspect of public education. The Ruhnama remains a required aspect of school exams, and in September 2007, the government sponsored an international conference devoted to the text.